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Name: Commissioner of Patents
Art Unit: 3627
Examiner: Elaine L. Gort
From: Jun-Young E. Jeon
Reg No. 43,693
Re: Application No. 09/693,565
Filed: October 20, 2000
Entitled ELECTRONIC TRANSMISSION AND TRACKING DEPOSIT
INFORMATION
File: A484:40234

I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO
THE UNITED STATES PATENT AND TRADEMARK OFFICE ON November 10, 2006


Shannon L. Stewart

***Correspondence:**

1. Request to Withdraw the August 30th, 2006 Notice of Allowance
2. Enclosures: Attachments A-E

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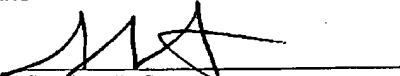
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Shannon L. Stewart

Applicant : William F. Brooks, Jr., et al. Confirmation No. 7788
Application No. : 09/693,565
Filed : October 20, 2000
Title : ELECTRONIC TRANSMISSION AND TRACKING OF DEPOSIT
INFORMATION
Grp./Div. : 3627
Examiner : Elaine L. Gort
Docket No. : 40234/A484

**REQUEST TO WITHDRAW THE AUGUST 30, 2006 NOTICE OF ALLOWANCE
WHICH APPEARS TO HAVE BEEN SENT IN ERROR AFTER THE ISSUE FEE
PAYMENT PURSUANT TO THE MARCH 20, 2006 NOTICE OF ALLOWANCE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
November 10, 2006

Commissioner:

Applicants received a Notice of Allowance dated August 30, 2006, for the above referenced application, which allegedly was 'responsive to Request for Continued Examination filed 6/7/06.' However, Applicants did not file a Request for Continued Examination (RCE) on June 7, 2006 and believe that the Notice of Allowance dated August 30, 2006 was issued in error. The August 30, 2006 Notice of Allowance was not necessary as the issue fee payment was already made on June 7, 2006 pursuant to the Notice of Allowance mailed March 20, 2006.

The RCE allegedly filed on June 7, 2006 that Applicants found in the USPTO database appears to be merely a copy of a page from the RCE filed on December 12, 2005. Applicants do not understand how a page from the December 12, 2005 RCE turned into an RCE filed on June 7, 2006. In any event, no RCE was filed on June 7, 2006, and the August 30, 2006 Notice of Allowance should not have issued.

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Application No. 09/693,565

Please see the table below that clearly shows a discrepancy between Applicants' records and the file wrapper in the PAIR system.

DATE	APPLICANTS' RECORDS	THE USPTO RECORDS
12-12-2005	RCE and Amendment Filed	RCE and Amendment Received on 12-15-2006. (<i>Attachment A</i>)
03-20-2006	Notice of Allowance Mailed	Notice of Allowance Mailed
05-09-2006	312 Amendment Submitted	Amendment after Notice of Allowance (Rule 312) (<i>Attachment B</i>)
06-07-2006	Issue fee paid with the Fees Transmittal and a check in the amount of \$1,430, paying the issue and publication fees.	Issue Fee payment recorded on 06-09-2006 (<i>Attachment D</i>)
06-07-2006	<u>Applicants have not filed any such RCE</u> either before or at the time of issue fee payment.	RCE filed (according to the USPTO records, but this appears to be an error) (<i>Attachment E</i>); and Rule 312 Amendment initialed by Examiner (<i>Attachment C</i>)
08-30-2006	On 09-01-2006, Applicants receive a second Notice of Allowance, which, according to the Notice of Allowability, is in response to the RCE <u>allegedly</u> filed on 06-07-2006	Notice of Allowance and Fees Due, mailed

Applicants downloaded the RCE received on December 15, 2005 (which was mailed December 12, 2005) and the RCE allegedly received on June 7, 2006, from the online USPTO image file wrapper. The December 15, 2005 RCE downloaded from the image file wrapper, consists of a three page transmittal, an amendment and an extension of time, copies of which are enclosed (*Attachment A*). However, the alleged June 7, 2006 RCE consists of only a single page, 'Page 2 of 3,' of the RCE Transmittal. (*Attachment E*) As you can see, the RCE listed on

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June 7, 2006, which only consists of a single page, 'Page 2 of 3,' of the transmittal, is identical to the 'Page 2 of 3' of the RCE transmittal received on December 15, 2006.

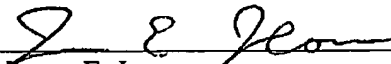
Further, it makes absolutely no sense for the Applicants to have filed a Rule 312 amendment on May 9, 2006 (See Attachment B), which appears to have been considered by the Examiner on June 7, 2006 (See Attachment C), then file an RCE together with the issue fee payment on June 7, 2006 (See Attachment D).

Applicants believe that the 'Page 2 of 3' of the RCE received on December 15, 2005, was somehow inadvertently forwarded internally at the USPTO to the Examiner as a newly submitted RCE.

Applicants respectfully request that the RCE allegedly received on June 7, 2006 be removed from the USPTO image file wrapper, and that the Notice of Allowance issued on August 30, 2006 be withdrawn. **Accordingly, Applicants look forward to an early issuance of a patent.**

If there are any remaining issues that can be addressed over the telephone, the Examiner is cordially invited to call the Applicant's attorney at the number listed below.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Jun-Young E. Jeon
Reg. No. 43,693
626/795-9900

Enclosures: **Attachment A** (RCE and Amendment received 12/15/05)
Attachment B (Rule 312 Amendment received 5/9/06)
Attachment C (Rule 312 Amendment initialed by Examiner 6/7/06)
Attachment D (Issue Fee recorded 6/9/06)
Attachment E (RCE allegedly received 6/7/06)

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ATTACHMENT A

ATTACHMENT B

ATTACHMENT C

ATTACHMENT D

ATTACHMENT E